



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**SHAWN BERTRAM**, on behalf of himself  
and others similarly situated,

**Plaintiff,**

**v.**

**326 WEST 46<sup>TH</sup> STREET CORP. d/b/a JOE  
ALLEN RESTAURANT, JOE ALLEN and  
CLAIRE CHOVEAUX,**

**Defendants.**

**CASE NO. 17 CV 906 (PKC)**

**STIPULATION AND ORDER OF DISMISSAL**

IT IS HEREBY STIPULATED that this action has been discontinued and is hereby dismissed with prejudice, without costs to any party against any other. This Stipulation may be filed with the Court without further notice to any party. This Court shall retain jurisdiction to enforce the parties' Settlement Agreement.

Dated: New York, New York  
June 7, 2017

For the Plaintiff:  
**JOSEPH & KIRSCHENBAUM LLP**

*[Signature]*  
D. Maimon Kirschenbaum  
Denise A. Schulman  
32 Broadway, Suite 601  
New York, NY 10004

For the Defendants:  
**KLEIN ZELMAN ROTHERMEL JACOBS &  
SCHLESS LLP**

*[Signature]*  
Jane Jacobs  
Jesse Grasty  
401 Greenwich Street  
New York, NY 10013

So Ordered:  
*[Signature]*  
Hon. P. Kevin Castel (U.S.D.J.)

{00130808;1}

*The settlement to and attorney's fees are fair reasonable and adequate and they are approved. Plaintiff's counsel shall file a copy of the Settlement Agreement and Release within seven (7) days.*

*6-30-17*